

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID ANGEL SIFUENTES, III,

Plaintiff,

v.

NAUTILUS, INC.,

Defendant.

CASE NO. C21-5613JLR

ORDER

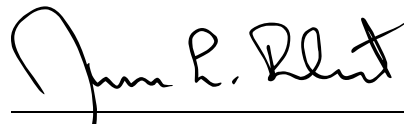
This matter comes before the court on *pro se* Plaintiff David Angel Sifuentes, III's motion requesting the United States Marshals Service to serve the summons and second amended complaint on Defendant Nautilus, Inc. ("Nautilus"). (Mot. (Dkt. # 21).) Mr. Sifuentes is proceeding *in forma pauperis* ("IFP"). (Order Granting IFP Status (Dkt. # 3).) Upon an IFP plaintiff's request, "the officers of the court shall issue and serve all process." 28 U.S.C. § 1915(d). Federal Rule of Civil Procedure 4(c)(3) further provides, "[a]t the plaintiff's request the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court

1 must so order if the plaintiff is authorized to proceed in forma pauperis” Fed. R.
2 Civ. P. 4(c)(3); *see also Boudette v. Barnette*, 923 F.2d 754, 757 (9th Cir. 1991) (“IFP
3 plaintiff must request service of the summons and complaint by court officers before the
4 officers will be responsible for effecting such service.”).

5 Pursuant to Rule 4(c)(3), the court GRANTS Mr. Sifuentes’s motion (Dkt. # 21)
6 and ORDERS:

- 7 1) The Clerk to provide a copy of the second amended complaint (Dkt. # 8), the
8 exhibit to the second amended complaint (Dkt. # 8-1), Mr. Sifuentes’s
9 declaration regarding the second amended complaint (Dkt. # 9), and the
10 summons (Dkt. # 13), to the United States marshal or deputy marshal within
11 five (5) days of the date of this order; and
12 2) The United States marshal or deputy marshal to serve Nautilus with a copy of
13 the applicable summons and the complaint within 30 days of the date of this
14 order.

15 Dated this 21st day of December, 2021.

16
17 
18 JAMES L. ROBART
19 United States District Judge
20
21
22